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## House of Representatives

The House was not in session today. Its next meeting will be held on Friday, September 9, 2022, at 9 a.m.

## Senate

THURSDAY, SEPTEMBER 8, 2022

The Senate met at 10 a.m. and was called to order by the Honorable CHRISTOPHER MURPHY, a Senator from the State of Connecticut.

### PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

O rock of our salvation, You alone are our hope for the years to come. Because of Your mercies, You have given us the gift of this day. You have been our help in ages past, and we place our future in Your hands.

Lord, forgive us when we do things our way, refusing to submit to Your holy will and seeking to derail Your wise and powerful providence. Remind us to seek first to stay within the circle of Your divine purposes, for You are God, and we are not.

Today, use our lawmakers for Your glory. Give them the unity they need to accomplish Your will. Guide them with Your wisdom.

We pray in Your matchless Name. Amen.

### PLEDGE OF ALLEGIANCE

The Presiding Officer led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

### APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication

to the Senate from the President pro tempore (Mr. LEAHY).

The bill clerk read the following letter:

U.S. SENATE,  
PRESIDENT PRO TEMPORE,  
Washington, DC, September 8, 2022.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable CHRISTOPHER MURPHY, a Senator from the State of Connecticut, to perform the duties of the Chair.

PATRICK J. LEAHY,  
President pro tempore.

Mr. MURPHY thereupon assumed the Chair as Acting President pro tempore.

### RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

### RECOGNITION OF THE MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The majority leader is recognized.

### RESPECT FOR MARRIAGE ACT

Mr. SCHUMER. Mr. President, four words are inscribed in the stone above the U.S. Supreme Court: "Equal Justice Under Law"—"Equal Justice Under Law." In many ways, the story of America has been about making those words true for all Americans. Sometimes we take bold steps forward. Other times, unfortunately, we take disturbing steps backward.

We all know that when the Constitution was written, there was not equal justice under law. That is pretty obvious. So many people were excluded from voting and other rights. But we have tried to move forward, and that is one of the beautiful things about America. We keep moving forward. We push.

But, unfortunately, today America finds itself in one of those frightening moments of regression—of regression. A few months ago, tens of millions of women saw their fundamental right to choose taken away before their very eyes. Justice Thomas, in a concurring opinion, suggested that other rights, like the freedom to marry protected in Obergefell might come next.

The mere thought should make us sick to our stomachs. The Senate has a responsibility now to act. Because of this threat, the Senate will hold a vote on the Respect for Marriage Act in the coming weeks so that no American is discriminated against because of whom they love.

My colleagues Senators BALDWIN and SINEMA and others have worked for months to build bipartisan support for this legislation. I applaud them for their efforts. I hope that we will get at least 10 Republicans to join us to pass marriage equality through the Senate. If the Respect for Marriage Act can win significant Republican support in the House, there is no legitimate reason for Republicans in this Chamber to stand in the way.

Over the past few weeks, we have heard many on the other side say: Well, this vote isn't necessary.

• This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.



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They say marriage equality is not something Americans spend a lot of time thinking about anymore. They want us to believe that the Supreme Court would never do something as reckless as reversing the precedent of marriage equality that millions have relied on for years.

Well, where oh where have we heard that before? The very same people who suggested that *Roe* was established precedent now want us to think that the Supreme Court won't go further, even though a sitting Justice on the highest Court in the land openly said something to the contrary, and he is often joined by four others.

Lest we forget, marriage equality was not the law of the land a decade ago. Discrimination against LGBTQ Americans still continues to this day. Now MAGA Republicans have escalated their rhetoric against same sex marriage and want to normalize gender discrimination.

MAGA Republicans seem to make it their business to pick on certain groups, not to do things that are positive and move things forward but to sort of just point their fingers at someone and blame them for some abstract reason that really doesn't hurt them at all.

That is where this Republican Party—unfortunately, too many of them—are headed, led by these MAGA Republicans and often fomented by former President Trump.

Earlier this year—here is what I am talking about. This isn't pie in the sky. The Texas Republican GOP, earlier this year, even adopted a party platform. This is of the largest Republican State in the country, the one with the most congressional representatives. The Texas GOP adopted this year a party platform that said “homosexuality is an abnormal lifestyle choice.”

Let me repeat that. The largest Republican State in the country, its Republican Party, captured by MAGA fervor—absurd fervor—said “homosexuality is an abnormal lifestyle choice.”

Just yesterday, a judge said that employers can deny access to medication if they believe it would encourage homosexuality. And we all know that these MAGA Republicans and their ilk, led by this man named Leonard Leo, with billions of dollars of dark money, use the courts to move America backward—move the courts to move America backward. And that is what happened yesterday with this judge coming up with this absurd, obnoxious, despicable resolution.

I trust that that radical view of that judge and of that Texas GOP is not something many of us embrace here in this Chamber. But we can't act as if our fundamental rights will stay safe if we aren't willing to safeguard them through legislation. If we are going to let these MAGA judges—rightwing, appointed by Leonard Leo and the Federalist Society—if we are not going to let them move America backward, then we have an obligation to act.

So let me make clear that a vote on marriage equality will happen on the Senate floor in the coming weeks, and I hope there will be at least 10 Republicans to support it.

#### JUDICIAL NOMINATIONS

Mr. SCHUMER. Mr. President, on the related subject, obviously, of judges, today the Senate will continue fulfilling its constitutional duty to confirm more judges to sit on our Federal judiciary.

It has really been a productive week here on the floor when it comes to judges. Yesterday, we confirmed John Lee to serve a lifetime appointment as circuit judge on the Seventh Circuit, the first Asian American to ever sit on that court.

Today, we will confirm another circuit judge—Andre Mathis—to sit on the Sixth Circuit. When confirmed, Mathis will be the 78th judge we have confirmed under President Biden—more than President Trump, more than President Obama, more than President Bush had confirmed up to this point. It is a great record. We are proud of it, and we aren't done.

Later this afternoon, we will begin working on our third—our third—circuit court judge of the week, Salvador Mendoza, to sit on the Ninth Circuit. After we vote on cloture today, Members should expect to vote on his confirmation as early as the beginning of next week. Moving forward, it will be one of our top priorities to confirm as many judges as possible. It is one of the best things we can do with our time here on the floor, especially given how many MAGA-type judges President Trump and the Republican majority appointed.

The lion's share of legal disputes never make it to the Supreme Court, giving those who preside in the lower courts immense power to affect the lives of the American people. And, of course, when they get it wrong—as they have all too frequently recently—the results can be disastrous.

Just yesterday, a hard-right judge in Texas, as I mentioned, stripped away Americans' rights to access preventive care. Over 150 million Americans could now be at risk of losing everything from breast cancer screenings to cholesterol screenings, free vaccinations, mental health assessments, and so much more. Add that to the previous case I mentioned before, and you can see that judges are out of control, far away from what most Americans want, foisted upon us by the Republican Senate majority, President Trump, and a small band of rightwing, MAGA billionaires.

In the long run, this decision could mean more people get sick or die needlessly simply because they can't afford preventive care to stay healthy. That is the kind of thing that is at stake when it comes to judges.

It is a frightening reminder of the difference between our side and the

hard right, the MAGA hard right, the extreme MAGA hard right. Whether through judges or legislation, the hard right remains obsessed—obsessed—with stripping away people's rights to affordable healthcare. It is dangerous. It is malicious. It is wildly out of step with the American people.

Democrats want something different. We want to protect people's healthcare, not destroy it. We want judges who will preserve long-established precedent, not obliterate it, who will move us forward on our fight to equality, not take steps backward. And in the coming weeks and months, we will maintain a laser-like focus on confirming judges who will do the kinds of things that we believe must be done in America.

I yield the floor.

I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. McCONNELL. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

#### RECOGNITION OF THE MINORITY LEADER

The ACTING PRESIDENT pro tempore. The Republican leader is recognized.

#### QUEEN ELIZABETH II

Mr. McCONNELL. Mr. President, first this morning, the Senate and the American people are watching the news regarding our friends in the United Kingdom and the health of their beloved Queen Elizabeth.

The Queen is an exemplar of steady leadership and a beloved figure around the world. She has been a historic friend of the United States. The decades of her reign have seen a profound deepening of the special relationship between our two countries that has literally changed the world.

The Queen, the royal family, and all our friends in the United Kingdom have our thoughts and our prayers.

#### ENERGY

Mr. McCONNELL. Mr. President, now on a completely different matter, I have been talking all week about the ways that liberal policies hurt American families in their daily lives.

After 2 years of total Democratic control in Washington, we have seen how reckless spending comes home to roost in the form of decades-high inflation and shrinking paychecks for working Americans.

We have seen what happens when one of our two major political parties decides in its rhetoric, in its personnel, and in its policies that keeping our streets safe, our border secure, and